

NOT FOR PUBLICATION

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LUKE STEWART, ET AL.,

Plaintiffs,

V.

SAMSUNG ELECTRONICS AMERICA, INC.,

Defendant.

Hon. Faith S. Hochberg, U.S.D.J.

Civil Case No. 10-5096 (FSH) (PS)

ORDER

Date: January 5, 2012

HOCHBERG, District Judge;

This matter comes before the Court upon Defendant's January 4, 2012 letter requesting that the Court continue to stay discovery while Defendant's settlement agreement in Oklahoma state court proceeds through the approval process; and upon Interim Co-Lead Counsel's opposition to Defendant's request and its own request for expedited discovery regarding Defendant's settlement agreement with Oklahoma plaintiffs; and

it appearing that Defendant represents that it has executed a settlement agreement with plaintiffs in *Russell, et al. v. Samsung Electronics America, Inc.*, Case No. CJ-2011-7260, currently pending in the District Court of Oklahoma County, that will moot the instant action;¹ and

it appearing that Interim Co-Lead Counsel has set forth no legal basis for entitlement to discovery relating to Defendant's settlement agreement or negotiations in Oklahoma,

¹ The sole remaining disputed issue in this action is the amount of attorneys' fees, as explained by the Court on the record on December 14, 2011, which has held up the implementation of the settlement to benefit the members of the Class for the past eight months.

IT IS on this 5th day of January 2012

ORDERED that, in consultation with Magistrate Judge Shwartz, no discovery shall be ordered pertaining to Defendant's settlement agreement with Oklahoma plaintiffs;

AND IT IS FURTHER ORDERED this action shall be **ADMINISTRATIVELY TERMINATED** and counsel shall report to the Court within six months whether any settlement providing relief to the class and in the best interests of the class has been consummated;

AND IT IS FURTHER ORDERED that no ruling of the Court in any way limits the Oklahoma action from proceeding through the settlement approval process.

/s/ Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.J.